

CLIFFORD CHANCE US LLP

200 Park Avenue
New York, NY 10166
(212) 878-8000

TELECOPIER: (212) 878-8375

Date April 30, 2003
Attorney Docket No.5677-142

TELECOPIER TRANSMISSION COVER SHEET

RECEIVED

OFFICIAL

JUN 09 2003

Phone Number Transmitting To: **703/746-5049**

TECH CENTER 1600/2900

To: **United States Patent and Trademark Office**

Examiner: **Christopher Tate**

Group Art Unit: **1654**

Paper(s) Being Transmitted: **AMENDMENT**

Number of Pages Being Transmitted (including cover): **4**

COMMENTS:

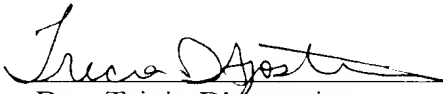
CERTIFICATE OF FACSIMILE TRANSMISSION

Serial No.: **09/717,445**

Filed: **November 21, 2000**

I hereby certify that these papers are being facsimile transferred to the United States Patent and Trademark Office on the date shown below.

Date: April 30, 2003


By: **Tricia D'Agostino**

FOR FAX TRANSMISSION PROBLEMS, CALL . THIS FACSIMILE TRANSMISSION IS INTENDED SOLELY FOR THE USE OF THE PERSON OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. ANY REVIEW, DISSEMINATION, DISTRIBUTION, COPYING OR OTHER USE OF, OR THE TAKING OF ANY ACTION IN RELIANCE UPON, THIS TRANSMISSION OR ITS CONTENTS BY PERSONS OTHER THAN THE ADDRESSEE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR ARE UNCERTAIN ABOUT ITS PROPER HANDLING, PLEASE CALL US IMMEDIATELY (COLLECT AT) AND RETURN THE ORIGINAL TRANSMISSION TO US BY MAIL.

NYB 1412235.1



CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence or, if this paper is a transmittal letter, every other paper or fee referred to therein, is being deposited electronically, via facsimile at (703) 746-5049 to: Commissioner for Patents, Washington, D.C. 20231, on

Date:

Name:

Signature:

4/30/03
Teresa S. Szymanski
Clifford Chance US LLP

Docket No. 5677/142

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Divisional Application of: Leo J. Romanczyk, Jr. et al.

JUN 09 2003

Serial No. : 09/717,445

Group Art Unit : 1654

Filed : 11/21/00

Examiner : C. Tate

TECH CENTER 1600/2900

For : FOODS CONTAINING A COCOA POLYPHENOL ADDITIVE

Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

Sirs:

Please amend Claim 47 so it reads as follows:

47. The food of Claim 44, wherein the cocoa extract is fractionated into cocoa procyanidin fractions containing monomers, dimers, trimers, tetramers, pentamers, hexamers, heptamers, octamers, nonamers, decamers, undecamers, and dodecamers.

REMARKS

Claim 47 was amended to correct the dependency from canceled Claim 49 to Claim 44.